

**MAYOR AND COUNCIL
REGULAR MEETING
May 23, 2017
7:00 P.M.**

CALL TO ORDER

SALUTE TO COLORS

Mayor Maio invited all those present to stand in a salute to the colors.

MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 4, 2017 and was placed on the Official Bulletin Board in the Municipal Building.

In the event the Mayor and Council have not addressed all items on this Agenda by 11:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place within ten (10) days of this meeting. Please turn off all cell phones for the duration of this meeting.

ROLL CALL

Council Members:

Councilman Depew – present
Councilwoman Kuncken – absent
Councilman Romano – present

Councilwoman Thistleton – present
Councilman Thornton – present
Councilwoman Zdichocki – present

Mayor Maio – present

CITIZENS TO BE HEARD

Mayor Maio opened the meeting to the public after advising attendees there is a five (5) minute time limit for each speaker.

Anthony Riccardi, 4 Lawrence Avenue, asked if there are plans to dredge the lake this year. Mr. Riccardi stated he has heard there has been a problem finding a location to dispose of the weeds that are pulled from the lake. This past year there were areas of the lake where the weeds were so bad that a boat could not go through certain areas. In order to traverse the lake it requires going out of your way especially with canoes or kayaks.

Mayor Maio stated the management of the lake is overseen by the Lake Musconetcong Regional Planning Board (LMRPB). Mayor Maio stated she is one of Stanhope Boroughs representatives on the LMRPB. There is no plan to dredge the lake this year or any year in the near future. The latest estimated cost of dredging the lake is \$90 million. The primary cost of dredging is not the physical dredging itself, but the disposal and trucking of the removed material from the 300 acres. The LMRPB is planning to treat the entire lake this year which is designed to eliminate weed growth. The NJDEP regulates what type of chemicals can be used, in what combinations and how much can be used. This two year plan will eliminate most of the growth but there will still be some forms of milfoil and other plants that will continue to grow. The harvesting will be limited. The NJDEP has restricted the LMRPB's ability to dispose of the weeds to locations which have been used in the past. Mr. Riccardi asked if an herbicide is going to be used for the treatment of the lake. Mayor Maio stated a probiotic and an herbicide will be used.

Seeing no one further from the public wishing to speak, Mayor Maio closed this public portion of the meeting.

MINUTES FOR APPROVAL

Mayor Maio read aloud the list of minutes being presented for approval:

April 11, 2017	Work Session/Agenda Meeting & Closed Session
April 25, 2017	Business Meeting & Closed Session

On motion by Councilman Romano, seconded by Councilman Depew and unanimously carried by voice vote the above listed minutes were approved. Councilman Thornton abstained from the minutes of April 11, 2017.

CORRESPONDENCE (List Attached)

On motion by Councilwoman Thistleton, seconded by Councilwoman Zdichocki and unanimously carried by voice vote, the list of correspondence was accepted and ordered placed on file.

COUNCIL COMMITTEE REPORTS

On motion by Councilwoman Thistleton, seconded by Councilwoman Zdichocki and unanimously carried by voice vote the Council Committee Reports were waived.

Public Safety – Councilwomen Kuncken/Thistleton

(Police, Fire, Ambulance, Court & Violations Bureau, Emergency Management)

Finance & Administration – Councilman Romano/Councilwoman Kuncken

Community Development – Councilwoman Zdichocki/Councilman Thornton

(Zoning, Construction, Code Enforcement, Economic Development, Chamber of Commerce, Downtown Revitalization)

Municipal Infrastructure – Councilman Thornton/Councilwoman Zdichocki

(Water Distribution, Sewer Collection System, Road Construction & Maintenance, Buildings & Grounds)

Information Technology – Councilmen Depew/Romano

Boards/Commissions – Councilwoman Thistleton/Councilman Depew

ENGINEER'S REPORT

Mayor Maio invited Eric Keller, Borough Engineer, to come forward to present his report.

Sidewalk Project – Mr. Keller stated he had submitted the bid recommendation to the Governing Body on May 17th. Mr. Keller was pleased with the bids received on Thursday, May 11th. The following Monday, correspondence and a phone call were received from the apparent low bidder seeking to withdraw. There have been several calls back and forth, as late as today, with the Borough Attorney's office, regarding the letter accepting the withdrawal of the low bidder. The low bidder claimed they were not aware that the wall in the plans was an engineered wall. It was clear on the plans and the specifications. An engineered wall requires engineering drawings and permits. Based on the recommendations of the Borough Attorney and based on A&A Curbing's letter, the withdrawal of their bid was accepted. The next low bid was from Your Way Construction with a bid just under \$340,000. This bid exceeds the engineers estimate and the established budget. This project has a \$250,000 Local Aid Discretionary Grant which the Borough is behind on. The required easements took longer to obtain than expected which caused the delay. If the Borough goes back out to bid, A&A Curbing will not be permitted to rebid because they have withdrawn. Seven bid packets were originally picked up but only four were submitted. The three other bids received ranged in price from just under \$340,000 to as much as \$469,000. Mr. Keller stated he is never in favor of rebidding due to the fact the previous bid information is available. In this particular case two of the three bidders were present at the bid opening. Mr. Keller stated he is concerned the bids will increase and they are already higher than was anticipated. This project has been in the works for three years. Mr. Keller stated the

Borough has been successful in maintaining the grant from the State, even though it is overdue to be completed.

Mr. Keller stated there are two choices. One is to accept the bid which is above the engineers estimate and is over budget. The second choice would be to rebid the project. This will most likely result in higher prices. Mr. Keller stated Dana Mooney, CFO, has informed him there are funds remaining from two prior projects. Mayor Maio stated they are the reclamation project Phase I Walton Street and Spring Street and the Maple Terrace Project which have both been completed under budget. There is approximately \$65,000 remaining from those projects. The original ordinance allocated these funds for roads, sidewalks, etc. The funds are available for use. Mr. Keller stated the Local Aid Grant is \$250,000, the Borough budgeted \$50,000 for this project and along with the money left from the two prior projects that came in under budget, this would cover the costs for the Sidewalk Project. The references have been checked for both of the low bidders. Mayor Maio stated the State has been working with the Borough and they were very understanding with regard to the delays in obtaining the easements, especially the PSE&G easement. Mayor Maio is concerned if the current bid is not accepted and the Borough has to go back out to bid, this will be an additional delay. The completion of the project would be extended into the fall. This project has been under consideration for the past ten years. Mr. Keller stated a Local Aid Grant was applied for approximately six years ago which was denied but fortunately the discretionary aid grant was obtained this time.

Mayor Maio stated Mr. Keller is recommending the Governing Body accept the bid from the next lowest bidder. A resolution to accept the bid would then be added to the next scheduled meeting agenda. Mayor Maio asked the Governing Body for their input. Councilman Thornton asked Mr. Keller if he is of the opinion the disparity in the bids is due to the retaining wall. Mr. Keller stated that was the claim of the lowest bidder. They did not realize it was an engineered wall. Mr. Keller stated this is the vagaries of public bidding. Bowman Consulting had estimated the cost of the wall to be \$55 per square foot. A&A Curbing bid \$30/sqft; Your Way Construction bid \$52/sqft; Cifelli bid \$50/sqft and Samson bid \$25/sqft. Mr. Keller stated Samson may have made a mistake with regard to the wall also but the overall bid was higher. Councilman Depew asked if the Borough has enough to cover the cost with the funds available or is more money needed. Mr. Keller stated the bid, rounded off is, \$340,000. The Borough has \$300,000 and \$65,000 left from the previously completed projects for a total of \$365,000. Mr. Keller stated he does not want to spend \$340,000. There is some "fat" in the estimate in order to not go above. There is flexibility on driveway limits and they will be cut back where possible. There are items included for "if and where directed" which may not be necessary. Councilman Depew stated he wanted to make sure if there are additional costs they would not be the responsibility of the tax payers. Mayor Maio confirmed the funds are available and the tax payers will not be affected. Councilwoman Zdichocki asked why the Borough would consider going back out to bid knowing the new bids would come in much higher. Mr. Keller stated he initially thought A&A Curbing would be able to rebid and correct the error that was made. Mr. Keller stated in the thirty years he has been doing this on the municipal side he does not think a contractor has ever withdrawn their bid. Bids have been rejected which is a different issue. Councilman Thornton asked if anything could be revised in the bid specifications to make it more appealing to other bidders. Mr. Keller replied the package is pretty straightforward. This is a good sized project and yet only seven bids were purchased and four were submitted. Councilman Romano stated this project has been ongoing for quite some time and he is satisfied with Mr. Keller's opinion that the project can be completed within the budget and the timeframe.

Mayor Maio asked each of the Governing Body members for approval to move forward with the project. Councilman Depew – yes; Councilwoman Zdichocki – yes; Councilman Thornton – yes; Councilwoman Thistleton – yes; Councilman Romano – yes. Mayor Maio asked Ms. Leo to prepare the resolution. Mayor Maio asked the Borough Clerk to include the resolution on the next meeting agenda.

Crosswalks – Mr. Keller stated three bids have been received. Lakeside has not updated their bid they are keeping the same bid from last year. Lakeside was the first bid received last year. The lowest bid received was \$15,750 to mill and pave the crosswalk in preparation for the crosswalk material. Mr. Keller stated this bid is \$7,000 more than his conservative estimate. Mr. Keller stated he contacted C&V in Stillwater and he was told the job is too small. A meeting has been scheduled with the manufacturer's representative for the crosswalk material on Wednesday. The

representative has informed Mr. Keller they are installing crosswalks throughout the state and are working with paving companies. Mr. Keller stated if the representative can assure him they have a paver willing to do the job that will bid on the project he will put the project out to bid again. The fallback is that the Borough would have to spend a couple extra thousand dollars to get it paved. Mayor Maio asked if the contractor for the sidewalk project would have the capabilities to do this work. Mr. Keller stated he will have to check with the contractor.

ADMINISTRATOR'S REPORT

Mayor Maio stated Administrator McNeilly is not attending tonight's meeting as he is at the Certified Managers Conference in Asbury Park.

NJ DOT Grant Request – Mayor Maio stated the Borough has received a grant from the NJDOT in the amount of \$180,000 for the resurfacing of Sparta Road. Mr. Keller stated he had not received this news and was pleased to hear it now. Mayor Maio asked Mr. Keller what the Local Aid Grant will include. Mr. Keller stated the grant is for resurfacing, striping, some sidewalk work and curb ramps where necessary. The Borough has not been notified if the TAP Grant for lighting and traffic calming which was applied for will be granted or not. The resurfacing will be a project for the 2018 capital project.

Main Street Banners – Mayor Maio stated Administrator McNeilly has ordered the new banners for the new lights along Main Street.

Miss Stanhope Program – Mayor Maio stated the Miss Stanhope Program is underway. Councilwoman Thistleton has received the first entry. The information has been distributed to the high school. It has also been placed on the Borough website and Facebook. Please share the post on Facebook.

Trestle Park – Mayor Maio stated reclaiming Trestle Park has been discussed for several years. Trestle Park is located near Lawrence Avenue, Brooklyn Road and the railroad tracks. It was named Trestle Park because it houses the old railroad trestle. Mayor Maio stated Mr. Keller was asked, with the assistance of the Planner, to provide a concept plan to see what could be done within the realm of a passive park. This would be the first park entirely owned by the Borough. The existing parks are located on a small piece of land on Ridge Road, the area on Musconetcong Avenue where the playground is located with the opposite side of Musconetcong being owned by the State and leased by the Borough. Lakeside Park is also State land leased by the Borough. There is a small park on Dell Road and another at Salmon Park where the basketball court is located.

Mr. Keller stated when Administrator McNeilly first asked him for a proposal, he tried to locate any existing maps for the area. One of the maps pre-dates when Mr. Keller began working for the Borough, 12 years ago. There is a stream which runs through the property and leads to Lake Musconetcong. The stream and the lake have a 150 foot riparian zone associated with it under the State's Flood Hazard Rules. There are restrictions on what can be done within that area. The topography is such that there are areas which drop down and rise up. There are areas where it comes up behind the homes on Lawrence Avenue. There is a paper street that extends to the property off of Lawrence Avenue between two houses. Access from Brooklyn Road is not great. There is a lot of area for walking trails. Mayor Maio stated she has walked the area with Administrator McNeilly and noticed there is potential for trails to connect to Byram Township and Hopatcong Borough. Mr. Keller stated Trestle Park consists of almost 19 acres. As you get closer to the lake there is underbrush and it gets very wet. The upper area behind the homes and closer to Canfield Avenue and Brooklyn Road, other than the stream, are dry. Mr. Keller stated he last walked the area in January but there were no obvious signs of any wetland areas. Mayor Maio stated she walked the area last spring and aside from the stream that area is dry. Mr. Keller stated they have put together a proposal to prepare a conceptual plan. They will walk the property with more detail and start to lay things out based on the existing mapping from the County GIS System and the NJDEP website. There is an old plan which was prepared by a prior engineer. Mr. Keller stated the plan does not exude much confidence in him as it indicates there are multiple streams which do not seem to exist. Mr. Keller stated they will lay out a plan, identify what can be done and make sketches. A key item to be reviewed is what will need to be done with regard to permits with the NJDEP. Trails are much more acceptable to the DEP.

Other than the natural passive use of the property, we have discussed having a parking area, a pavilion and restrooms. Mr. Keller stated in his opinion the parking lot should be located off of Canfield Street. This would keep the parking area away from the homes. The paper street is the Boroughs right of way but it does go in between two homes. The location off of Canfield Street has easy access to it from Brooklyn Road and it will be easier for the Police to access the area. The parking lot would have one light for security purposes. Mr. Keller stated the natural aspects of the area can be used for educational purposes. Natural benches of stone or wood for a sitting area could be added. This might be a good project for an Eagle Scout. Councilman Depew suggested leaving the area as a wildlife sanctuary. Mr. Keller stated there is a fair amount of natural area which is not owned by the Borough for that purpose. The Borough does not have many parks for the community to utilize. Mayor Maio stated there have been many requests for this type of park especially the addition of trails. Councilwoman Zdichocki stated the trails may help to bring more people into Stanhope.

Mayor Maio stated she is of the opinion Mr. Keller should prepare a concept plan. Mayor Maio stated this would be the only park fully owned by the Borough. A great deal of work was done several years ago with the trails committee. Trails were created behind the high school which lead into Byram Township and the trails are well used.

NJTPA 2045 Plan Update – Mayor Maio stated the North Jersey Transportation Authority (NJTPA) will be meeting on May 31st at 7:00PM regarding their long range concept plan through the year 2045. Mayor Maio and Administrator McNeilly have been invited to attend. Mayor Maio asked the Governing Body to inform the Borough Clerk if they are interested in attending.

COUNCIL DISCUSSION

Musconetcong Dam Restoration – Councilman Thornton asked Mr. Keller if the state has completed the rip rap installation for the Musconetcong Dam restoration. Mr. Keller stated the Borough has signed the easement agreement but the Borough has not been notified when the work will be done.

Mayor Maio thanked Mr. Keller for attending this evenings meeting.

Environmental Commission Request (Easement for Trail) – Mayor Maio stated the Environmental Commission has sent a letter requesting an easement behind the Lutheran Church for a walking trail. There was a discussion with the church several years ago regarding a trail but at that time the church did not have a permanent Pastor and they were not interested. Mayor Maio asked Mr. Keller if he was familiar with the area and what type of easement might be needed. Mr. Keller stated Administrator McNeilly has not spoken with him regarding this area. The area, depending on how close you get to the lake, can be very wet. The Borough has been maintaining the sewer easement which extends through the area. Mayor Maio stated the Environmental Commission is correct in stating this area was included as a potential trail area when the open space and trails plan was created in 2008 or 2009. It was determined the area was too wet and it was considered not safe because there was not enough area between the wet sections and the trail area. Mayor Maio asked the Governing Body if they would like to have Administrator McNeilly speak with the church and Mr. Keller regarding the trail. The Governing Body agreed to have Administrator McNeilly speak with the church. Mayor Maio stated she will inform Administrator McNeilly and she asked Mr. Keller to discuss the issue with the Administrator.

Additional Funding for Lake Treatment – Mayor Maio stated the Lake Musconetcong Regional Planning Board (LMRPB) has run an experiment with probiotics for the past two years. This was designed to determine if the use of probiotics would eliminate the muck at the bottom of the lake. Over the past two years, two different types of probiotics were used and the water channel has increased in the control areas. In one case the increase was as much as 30%. Unfortunately, all other areas of the lake had an increase in depth. The applicator who applied the probiotics was not able to determine if the change was due to the probiotics spreading, which seemed logical, or if something else had happened to the lake over the course of the years from all the chemical treatments. The applicator has provided a two year proposal to treat the entire lake short of the shoreline areas which the homeowner's association already treats. The homeowner's association has already signed a contract with their applicator. The proposal is to treat 175 acres

of the 300+ acres of the lake for two years at a cost of \$23,000 to the LMRPB. This is less than half of the original quote. The cost has been reduced because this experiment at the lake is being watched by other lake groups all over the state. The control of the water chestnuts has been successful. Earlier in the meeting Mr. Riccardi stated it was difficult to move a canoe through sections of the lake. Mayor Maio stated five or six years ago the lake was completely covered in water chestnuts. Byram Bay is the only area where the water chestnuts are not under control. This is a whole different environment. This is an incredible opportunity for the lake to be treated for two years. The LMRPB has agreed to use almost their entire budget to treat the lake with this process for the next two years. The LMRPB would like the Borough of Stanhope, the Borough of Netcong and Roxbury Township to pay for the portions of acreage where our parks are maintained. Stanhope Borough's portion consists of a little over two acres located at Musconetcong Park and Lakeside Park. The commitment would be for an assessment not to exceed \$1,000. Mayor Maio stated the Borough has done this nearly every year to chemically treat the lake. Councilwoman Zdichocki stated she attended a meeting and there was a discussion regarding the fact that feet, not inches, of muck could be controlled in five years with the probiotics. Mayor Maio stated this treatment is not for the probiotics. The two year treatment is to control the weed growth. The probiotics is a separate controlled project. Mayor Maio asked the Governing Body if there are any objections. Councilman Romano confirmed the funds have been budgeted. The Governing Body had no objections. Mayor Maio stated she will inform the LMRPB that Stanhope Borough will participate.

OLD BUSINESS

ORDINANCES

Mayor Maio offered the following ordinance for Public Hearing and Final Adoption which was read by title:

Ordinance for Public Hearing and Final Adoption

Ordinance 2017-05

AN ORDINANCE OF THE BOROUGH OF STANHOPE, SUSSEX COUNTY, NEW JERSEY, AMENDING CHAPTER 88 OF THE CODE OF THE BOROUGH OF STANHOPE ENTITLED "GAMES OF CHANCE" TO ADD SECTION 88-5 DESIGNATING THE BOROUGH CLERK AS THE "ISSUING AUTHORITY"

WHEREAS, Stanhope Borough's governing body may delegate, by ordinance, the authority to approve the granting of raffle and bingo licenses to the Borough Clerk; and

WHEREAS, the Borough Council wishes to delegate said authority to the Borough Clerk in order to streamline the process for applicants; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stanhope, Sussex County, New Jersey, as follows:

SECTION 1. Chapter 88 "Games of Chance" is hereby amended by the inclusion of a new Section 88-5 which shall be entitled "Issuing Authority" and which shall read in its entirety as follows:

§88-5 Issuing Authority.

The issuing authority responsible for approving bingo and raffle licenses, as the same is defined in N.J.S.A. 5:8-24 et seq. and N.J.S.A. 5:8-50 et seq. shall be the Borough Clerk.

SECTION 2 - SEVERABILITY

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 3 - REPEALER

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

On motion by Councilwoman Zdichocki, seconded by Councilwoman Thistleton, and unanimously carried by the following roll call vote, the foregoing ordinance was adopted.

Mayor Maio opened this portion of the meeting to the public for discussion on this item only. Seeing no one wishing to speak, Mayor Maio closed this portion of the meeting.

Mayor Maio stated this ordinance will permit the Borough Clerk to approve games of chance instead of having to wait for approval at the Mayor and Council meetings. Many other municipalities have already implemented this system.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton - yes
Councilwoman Kuncken - absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

On motion by Councilman Romano, seconded by Councilman Thornton, and unanimously carried by voice vote, the Mayor and Council instructed the Borough Clerk to post the ordinance and authorized publication of same.

NEW BUSINESS

RESOLUTIONS

Mayor Maio offered the following resolutions which were read by title:

<u>Resolution 097-17</u>	RESOLUTION AUTHORIZING THE MAYOR TO SIGN A MAINTENANCE AGREEMENT WITH NJDOT FOR THE ROUTE 183 AND ROUTE 206 SIDEWALK PROJECT
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WHEREAS, the Borough of Stanhope has made application to the NJDOT (APP. NO. M-183-N-4088-2015 and APP. NO. M-206-N-4089-2015, BCG File No. 080374-ST-007, OEA File No. STB014.02) for sidewalk improvements related to Route 183 and Route 206 in the Borough of Stanhope; and

WHEREAS, plans have been prepared and submitted to the NJDOT by Bowman Consulting, and NJDOT requires a Maintenance Agreement related to the sidewalk and retaining wall as part of this project, a copy of which is attached hereto;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Mayor of the Borough of Stanhope is hereby authorized to execute the Maintenance Agreement with the NJDOT for the Route 183 and Route 206 sidewalk.

On motion by Councilman Thornton, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Resolution 098-17

RESOLUTION AUTHORIZING A ONE-TIME BONUS TO WILLIAM STORMS

WHEREAS, William Storms has been employed by the Borough of Stanhope for thirty (30) years, most recently as the DPW Superintendent; and

WHEREAS, in appreciation for his dedicated service to the residents of Stanhope, the Borough Council and Mayor wish to award Mr. Storms with a one-time bonus in the amount of \$225.00;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that Mr. Storms is awarded a one-time bonus of \$225.00 in recognition of his 30 years of dedicated service to the Borough of Stanhope, and Borough personnel are authorized to process such payment.

On motion by Councilman Depew, seconded by Councilman Thornton and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Mayor Maio stated Bill Storms is retiring. Rather than present him with the traditional mantel clock, we will present Bill with a check in the same amount which he can use as he wishes, most likely for fishing equipment.

Resolution 099-17

RESOLUTION AUTHORIZING EXECUTION OF REIMBURSEMENT AGREEMENTS WITH HIGHPOINT CONDOMINIUM ASSOCIATION

WHEREAS, the Highpoint Condominium Association is located in the Borough of Stanhope; and

WHEREAS, pursuant to the provisions of the Qualified Community Act, N.J.S.A. 40:67-23.2, the Highpoint Condominium Association is entitled to receive certain services from the Borough or to receive compensation for said services in lieu of the Borough providing same; and

WHEREAS, the Borough has elected to reimburse the condominium association for street lighting, leaf removal and snow plowing for the internal roadways in the condominium; and

WHEREAS, the Borough has also elected to reimburse the Highpoint Condominium Association for the collection and disposal of solid waste; and

WHEREAS, the Borough and the Highpoint Condominium Association have agreed on formulas for the calculation of reimbursement; and

WHEREAS, the Borough has prepared a reimbursement agreement for the calendar year 2016 for street lighting, leaf removal and snow plowing for the internal roadways in the condominium;

WHEREAS, the Borough has also prepared a reimbursement agreement for the calendar year 2017 for the collection and disposal of solid waste; and

WHEREAS, said reimbursement agreements have been offered to the Highpoint Condominium Association and have been signed by the Association and returned to the Borough;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute a reimbursement agreement with the Highpoint Condominium Association for street lighting, leaf

removal and snow plowing for the internal roadways in the condominium for the calendar year 2016; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute a reimbursement agreement with the Highpoint Condominium Association for the calendar year 2017 for collection and disposal of solid waste.

On motion by Councilman Romano, seconded by Councilman Thornton and carried by the following majority roll call vote, the foregoing resolution was duly adopted. Councilwoman Thistleton abstained.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – abstain
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Resolution 100-17

RESOLUTION AUTHORIZING EXECUTION OF REIMBURSEMENT AGREEMENTS WITH STONEGATE CONDOMINIUM ASSOCIATION

WHEREAS, the Stonegate Condominium Association is located in the Borough of Stanhope; and

WHEREAS, pursuant to the provisions of the Qualified Community Act, N.J.S.A. 40:67-23.2, the Stonegate Condominium Association is entitled to receive certain services from the Borough or to receive compensation for said services in lieu of the Borough providing same; and

WHEREAS, the Borough has elected to reimburse the condominium association for street lighting, leaf removal and snow plowing for the internal roadways in the condominium; and

WHEREAS, the Borough has also elected to reimburse the Stonegate Condominium Association for the collection and disposal of solid waste; and

WHEREAS, the Borough and the Stonegate Condominium Association have agreed on formulas for the calculation of reimbursement; and

WHEREAS, the Borough has prepared a reimbursement agreement for the calendar year 2016 for street lighting, leaf removal and snow plowing for the internal roadways in the condominium;

WHEREAS, the Borough has also prepared a reimbursement agreement for the calendar year 2017 for the collection and disposal of solid waste; and

WHEREAS, said reimbursement agreements have been offered to the Stonegate Condominium Association and have been signed by the Association and returned to the Borough;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute a reimbursement agreement with the Stonegate Condominium Association for street lighting, leaf removal and snow plowing for the internal roadways in the condominium for the calendar year 2016; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Stanhope that the Mayor and Clerk be and the same are hereby authorized to execute a reimbursement agreement with the Stonegate Condominium Association for the calendar year 2017 for collection and disposal of solid waste.

On motion by Councilwoman Zdichocki, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Resolution 101-17

RESOLUTION AUTHORIZING THE HIRING OF A PROBATIONARY POLICE OFFICER

WHEREAS, the Borough Council authorized Chief Pittigher to conduct a recruitment process to hire a probationary police officer, and;

WHEREAS, Chief Pittigher received and reviewed applications from prospective candidates, and;

WHEREAS, after completing the selection process, a conditional offer of employment is warranted for one candidate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Stanhope, that they do hereby extend a conditional offer of employment to Cory Kunzer;

NOW, BE IT FURTHER RESOLVED, upon successful completion of the hiring process, including applicable medical and psychological examinations, the aforementioned candidate shall be appointed as a probationary police officer through additional resolution.

On motion by Councilman Romano, seconded by Councilman Depew and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Mayor Maio stated, for the benefit of the public, the hiring of the new police officer is to replace Sgt. Charles Zweigle who is retiring. This is not an additional position to the department.

Resolution 102-17

RESOLUTION AUTHORIZING THE EXECUTION OF THE COLLECTIVE BARGAINING AGREEMENT WITH PBA LOCAL 138

WHEREAS, the Collective Negotiations Agreement between the Borough of Stanhope (“Borough”) and the Policemen’s Benevolent Association Local No. 138 (“PBA”) expired on December 31, 2016; and

WHEREAS, the Borough and the PBA have been in negotiations for a new collective agreement since that time; and

WHEREAS, representatives of the Borough and the PBA involved in collective negotiations have reached an agreement on terms and conditions for a new collective negotiations agreement and have recommended those terms to the full membership of the PBA and the governing body of the Borough of Stanhope for approval; and

WHEREAS, it has been determined by the Mayor and Council that the terms agreed to by the parties, which are contained in a written memorandum of agreement, for the period from January 1, 2017 through December 31, 2020, will provide a fair and reasonable level of benefits and compensation for Borough employees who are members of the PBA bargaining unit for the next four (4) years; now therefore

IT IS HEREBY RESOLVED this 23rd day of May, 2017, that the Mayor and Borough Council hereby approve the terms of the Memorandum of Agreement negotiated between the Borough and the PBA; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to sign any and all contracts, agreements or amendments necessary to effectuate these approved terms and conditions.

On motion by Councilman Depew, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

CONSENT AGENDA (All items listed on the Consent Agenda are considered routine by the Borough Council and were enacted by one motion of the Borough Council with no separate discussion.)

Resolution 103-17 **RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING THE
ISSUANCE OF RAFFLE LICENSE RA-628**

WHEREAS the following Raffle Application with required fees has been submitted for Mayor and Council approval;

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-628	American Legion Post #278 Musconetcong	8/13/2017 through 8/15/2018	Instant Raffle

and;

WHEREAS said Raffle Application has been provided to the Mayor, Council and Police Department for their review;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, County of Sussex, State of New Jersey, the following:

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.
2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

Resolution 104-17 **RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF STANHOPE AUTHORIZING REFUND OF
UNUSED ENGINEERING ESCROW FUNDS**

WHEREAS, the Emily K. Toth Irrevocable Trust had placed funds on deposit in escrow with the Borough of Stanhope for engineering fees for Block 11801, Lot 8.01 in January 2010; and

WHEREAS, the engineer has been paid for his work and there is no further billing forthcoming; and

WHEREAS, there are unused funds in the amount of \$214.17.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to Emily K. Toth Irrevocable Trust in the designated amount representing a refund of unused escrow funds, as follows:

Re: 10 Sparta Road

Emily K. Toth Irrevocable Trust
P.O. Box 3262
Wayne, New Jersey 07474

Original Deposit	\$350.00
Funds Expended	<u>(140.00)</u>
	210.00
Interest Earned to date	<u>4.17</u>
Balance to be Refunded	\$214.17

Resolution 105-17

**RESOLUTION AUTHORIZING REFUND OF
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2016-028, representing 2015 property taxes and/or utility charges on Block 11501, Lot 2, C0331, known as 17331 Aspen Court, assessed to Richard McDonnell, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder: Stuart Lasher
 P.O. Box 83
 Milltown, NJ 08850

Redemption Amount: Tax Title Lien #2016-028 and
 Interest to Date of Meeting \$ 815.57
 Premium Paid by Lienholder 400.00

Total From Current Fund: \$ 815.57
Total From Tax Premium Account 400.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

Resolution 106-17

**RESOLUTION AUTHORIZING REFUND OF
REDEMPTION MONIES TO OUTSIDE LIEN HOLDER**

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2016-012, representing 2015 property taxes and/or utility charges on Block 11304, Lot 4, known as 34 Linden Avenue, assessed to Ruth E McConnell, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder: US Bank Cust for BV002 Trust & Creditors
 50 S. 16th Street, Suite 2050
 Philadelphia, PA 19102-2513

Redemption Amount: Tax Title Lien #2016-012 and
 Interest to Date of Meeting \$ 3,146.77
 Premium Paid by Lienholder 1,300.00

Total From Current Fund: \$ 3,146.77
Total From Tax Premium Account 1,300.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

On motion by Councilman Thornton, seconded by Councilman Romano and unanimously carried by the following roll call vote, the foregoing resolutions were duly adopted.

Roll Call:

Councilman Depew – yes	Councilwoman Thistleton – yes
Councilwoman Kuncken – absent	Councilman Thornton – yes
Councilman Romano - yes	Councilwoman Zdichocki – yes

Mayor's Appointment

Resolution 107-17

MAYOR'S APPOINTMENT OF ACTING DPW SUPERINTENDENT JASON TITSWORTH WITH COUNCIL CONCURRENCE

Mayor's appointment of Jason Titsworth as acting DPW Superintendent with Council concurrence.

BE IT RESOLVED by the Council of the Borough of Stanhope that they do hereby concur with the Mayor's appointment of Jason Titsworth as acting DPW Superintendent effective June 1st, 2017 at the annual base salary of \$66,000.00, Water System Operator \$5,250, Sewer System Operator \$5,250 and Water T-1 License \$3,500 to be pro-rated in CY2017.

BE IT FURTHER RESOLVED that Jason Titsworth has to complete the New Jersey Certified Public Works Managers Course and successfully pass the certification test within a period of two years from date of appointment. Upon receipt of certification the base salary will increase by an additional \$6,000.00 and will be pro-rated the calendar year in which it was received.

On motion by Councilman Depew, seconded by Councilwoman Zdichocki and unanimously carried by voice vote, the foregoing resolution was duly adopted.

PAYMENT OF BILLS

Resolution 108-17

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Chief Finance Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the current bills list, dated May 23, 2017 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

On motion by Councilman Romano, seconded by Councilwoman Thistleton and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes
Councilwoman Kuncken – absent
Councilman Romano - yes

Councilwoman Thistleton – yes
Councilman Thornton – yes
Councilwoman Zdichocki – yes

ATTORNEY’S REPORT

Ms. Leo stated she had no report this evening.

CITIZENS TO BE HEARD

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Anthony Riccardi, 4 Lawrence Avenue, stated in regard to the Trestle Park discussion earlier, he grew up on Lawrence Avenue and that area is right near his back yard. The existing trails are currently used for mountain biking. On Saturday mornings it is quite noisy when used by quads and dirt bikes. Mayor Maio stated that is one of the issues the Borough would like to eliminate. Mr. Riccardi stated with the addition of a parking lot that indicates to him that the park will be fairly large. There are a lot of areas that drop off and there is some rough terrain. Mr. Riccardi asked if the trestle will be removed or incorporated into the park. Mayor Maio stated there is no plan to ever remove the trestle. Mr. Riccardi asked how much public access would this have and will it be used if the railway is reestablished. Mayor Maio stated that portion of the railway has been abandoned and will not be used again. This is one of the reasons we have asked the Engineer to develop a concept plan. The Governing Body can then look at it from that perspective and determine what we like, do not like and what is practical.

Seeing no one further from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

ADJOURNMENT

On motion by Councilwoman Thistleton, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 7:50 P.M.

Approved:

Linda Chirip
Deputy Clerk for
Ellen Horak, RMC
Borough Clerk